

**BEFORE THE ARIZONA BOARD OF
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

IN THE MATTER OF:)	Case No. 2873
)	
HAROLD REEDER, D.O.)	FINDINGS OF FACT,
Holder of License No. 2001)	CONCLUSIONS OF LAW
for the practice of osteopathic)	AND BOARD ORDER
medicine in the State of Arizona.)	
_____)	

This matter came before the Board of Osteopathic Examiners in Medicine and Surgery (hereinafter "Board") for final consideration and decision at the Board's public meeting held on May 18, 2002. Pursuant to its statutory authority at A.R.S. § 32-1855(E), the Board held an Investigative Hearing on May 18, 2002. During the course of these proceedings, Harold Reeder, D.O. (hereinafter "Respondent") was present.

Based upon Respondent's testimony and documentary evidence submitted to the board, the Board issues the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF

1. Respondent is a licensee of the Board and the holder of License No. 2001.
2. On or about December 7, 2000, the Board received information alleging that Respondent had failed to properly diagnose, treat or refer patient P.M. for proper treatment with the patient's problems dealing with hoarseness of the patient's voice after eating.
3. Patient P.M. was referred by his primary care physician to Respondent as an Ear, Nose and Throat ("ENT") specialist after developing problems with intermittent hoarseness on or about April 2000. While Respondent did not advertise as an ENT specialist, he did accept referrals as if he were an ENT specialist. Respondent had a preceptorship in otolaryngology,

however he did not perform endoscopies in his office.

4. Respondent diagnosed patient P.M. with pharyngitis and laryngitis and recommended treatments with medications. Respondent also gave impressions of ruling out lesions of the larynx and pharynx. Respondent stated in his progress notes that the patient be scoped if problems persisted.

5. Respondent's medical records submitted to the Board were not consistent with the records sent to a subsequent specialist.

6. Patient was eventually diagnosed with an exophytic lesion at the anterior commissure of the larynx, with subsequent surgery for removal of an undifferentiated carcinoma and radiation treatment.

7. At the Board's May 18, 2002 open meeting, the Board heard testimony from Respondent. Respondent stated that the differences between the medical records was due to the Respondent recreating his notes for the Board since he could not locate the originals which had been transferred to another physician. Respondent confirmed that he was not an ENT specialist, did not advertise as an ENT specialist however he did accept referrals as an ENT specialist due to the lack of available specialists in Sun City, Arizona.

5. In public session the Board voted on May 18, 2002 that Respondent's license be censured and authorized the Board's Executive Director to sign and issue a Board Order regarding Respondent that follows hereinafter.

CONCLUSIONS OF LAW

1. Pursuant to Arizona Revised Statutes § 32-1800, *et seq.*, the Arizona Board of Osteopathic Examiners in Medicine and Surgery has subject matter and personal jurisdiction in this matter.

2. The Board has the authority to enter into an order for disciplinary action against a licensee, pursuant to A.R.S. § 32-1855.

3. The Respondent engaged in unprofessional conduct as defined in A.R.S. § 32-1854 by violation federal and state statutes and regulations:

- (6) Engaging in the practice of medicine in a manner that harms or may harm a patient or that the Board determines falls below the community standard.

ORDER

Pursuant to the authority vested in the Board, **IT IS HEREBY ORDERED THAT:**

1. Harold Reeder, D.O. ("Respondent") be issued a **DECREE OF CENSURE** for neglecting to appropriately examine a patient or properly referring that patient to an Ear, Nose and Throat specialist resulting in a delay in the patient's diagnosis of a vocal cord tumor.

ISSUED this 31 day of July, 2002.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By: Joyce Kossick
Joyce Kossick, Acting Executive Director
9535 E. Doubletree Ranch Road
Scottsdale, Arizona 85258
(480) 657-7703

Notice of Request for Rehearing:

You have the right to request a rehearing or review of this matter pursuant to A.R.S. § 41-1092.09. The request for rehearing or review must be filed with the Arizona Board of Osteopathic Examiners in Medicine and Surgery within thirty (30) days. Specify in detail and with particularity at least one of the seven grounds that apply to your request for rehearing or review, as mandated by A.A.C.R4-22-106(C). A request for rehearing or review shall be a pre-requisite to exhaust your administrative remedies pursuant to A.R.S. § 41-1092.09.

Served by personal service or
sending U.S. certified mail this
1st day of August, 2002, to:

Harold Reeder, D.O.
16601 N. 40th St #121
Phoenix, AZ 85032

Copy mailed this 1 day of August, 2002, to:

Blair Driggs, Esq.
Assistant Attorney General
Office of the Attorney General
1275 W. Washington, CIV/LES
Phoenix, AZ 85007 (with enclosure)

Celina Shepherd

LES/367351